

1895-050 Chancery Causes: Joseph Marcum & wife vs. Crabs Orchard Coal & Iron Co]
Lee Co.

CH-Debt
T-Property

-Deed

1 To the Honorable H. S. K. Morrison, Judge
2 of the Circuit Court for Lee County
3 Virginia!

4 Your Complainants
5 Joseph Morcum and Margaret Mor-
6 cum his wife, waived respectfully
7 represent that on the 5th day of
8 November 1890, they sold and conveyed
9 by deed of said date, for the price
10 of six hundred and thirty seven dol-
11 lars and fifty cents, to the Crab Or-
12 chard Coal and Iron Company, a corporation
13 formed and existing under and by vir-
14 tue of the laws of the state of Virginia,
15 a certain tract or parcel of land
16 situated in the County of Lee and state
17 of Virginia on the waters of Jones Creek
18 in the Crab Orchard, containing seventy
19 five acres, which said tract of land
20 and the terms of said sale are fully
21 and particularly set out and described
22 in said deed, which is recorded in
23 the Clerk's office of the Lee County Court
24 for Lee County Virginia, in deed book
25 No. 25 page 156. A copy of said deed
26 is herewith filed marked "A," and prayed
27 to be considered as part hereof.

28 Your Complainants will now show
29 your honor that at the time of
30 the execution of said deed of
31 conveyance, there was paid down to
32 them the sum of two hundred and

1 twelve dollars and fifty cents, as part
2 of the purchase money on said lands;
3 and for the residue thereof four
4 hundred and twenty five dollars,
5 with interest thereon, the said Company
6 executed its two notes for two hun-
7 dred and twelve dollars and fifty cents
8 each, bearing even date with said
9 deed, and payable on the 9th day of
10 April 1891, and on the 9th day of April
11 1892, respectively. - Said notes are
12 signed by said Company by W. M.
13 James Secretary and General Manager
14 of said Company under his seal.

15 Your Complainants will further
16 show your honor that the said
17 note payable on the 9th day of
18 April 1892 ^{after date} is dated on the 6th day of
19 November 1890, bears ^{6 per cent} interest from the
20 9th day of April 1890, that on the 19th
21 day of September 1892, there was paid to
22 your Complainants on said note the sum
23 of \$70⁰⁰, and thirty-days thereafter the
24 sum of \$30⁰⁰, said payments are endorsed
25 on said note. The residue of said
26 note with its interest is wholly
27 due and unpaid, said note is
28 herewith filed marked "B" and prayed
29 to be considered herewith.

30 Your Complainants will further
31 show your honor that on one
32 hundred and eighty seven dollars

1 and fifty cents. of said first payment,
2 there is due thereon 6 per cent interest
3 thereon from the 9th day of April 1890
4 till the 6th day of November 1890,
5 as this payment should have been
6 made on the 6th day of April 1890,
7 which said interest is due and
8 unpaid.

9 Your Complainants will further
10 show your honor that by an inspec-
11 tion of said copy of said deed,
12 that they retained the vendor's
13 lien on the face of said deed on
14 said tract of land to secure the
15 payment of the deferred purchase
16 money, with its interest as aforesaid,
17 that said Vendor's lien is the
18 only lien on ~~said~~ said
19 tract of land.

20 The object, therefore, of this bill
21 is to enforce said vendor's lien
22 on said tract of land, and to have
23 the same sold or so much thereof
24 sold as may be necessary to pay
25 said balance of said purchase
26 money as evidenced by said note,
27 with its interest thereon and to pay
28 said interest on said first payment,
29 and the costs of this suit.

30 The prayer of your complain-
31 ants, therefore is that the Crab
32 Orchard Coal and Iron Company

1 a Corporation formed and existing
2 under and by virtue of the laws
3 of the state of Virginia, be made
4 a party dependant to this
5 bill, and answer the same
6 but it need not do so under
7 oath, that being expressly waived,
8 that said Vendor's claim be enforced,
9 and said tract of land or so
10 much thereof be sold as may
11 be necessary to pay said balance
12 of said purchase money as evidenced
13 by said note and its interest, and
14 the said interest on said first
15 payment, and the costs of this
16 suit, And that all such other
17 further and general relief may
18 be granted them as good Con-
19 science and the nature of their
20 case requires, May I so issue
21 etc. And they will ever pray etc.

22 J. H. Sewell.

23 J. H.

Tax 1.5-0+
 D.C. 5-03+
 Estimate 15-50+
 5.00+
 27.03
 Munsy Clerk #4.67

Joseph Morecum & wife.

vs Bill Chey.

The Crab Orchard Coal & Iron Co.

1893. 2nd May Rules Bill
 filed Spd Vrd & D. Visi
 " 1st June Rules taken
 last Monday in May
 D. Visi Confd & Cause
 set for hearing by Jiff
 " June Decree Could
 " Novr " " "
 " 1894 March Could
 " June Decree + Could
 " Novr Could
 " 1895 March Could
 " June "
 " Novr Decree final
 O. Book 5 Page 294.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

Joseph Morum & wife Plffs
vs
The Crab Orchard Coal & Iron Co. Dfs } In Chancery

This cause came on again this the 14th day of November 1895, to be again heard upon the papers formerly read in the cause, and the report of special Commissioner D.C. Sewell, filed therein on the 13th day of November 1895, and was argued by Counsel.

On Consideration whereof, and it appearing to the Court from said report of said Commissioner D.C. Sewell, that he has made and acknowledged a deed with covenants of special warranty conveying the land in the bills and proceedings mentioned, to ~~W. A. Sparger, M. M. Butler, B. L. Dulaney, J. S. Anderson, Chas. L. James, and B. J. James~~, the purchasers thereof, and that there are no exceptions to either the said report or to said deed. It is adjudged ordered and decreed that said report and deed be and the same are each hereby approved and confirmed. And it is further ordered that said purchasers pay to said Commissioner D.C. Sewell, \$5.00 for making said deed, and the Clerk of this Court to

directed Odellier said deed
to said purchasers for record.
And there remaining nothing
further to be done in this
cause, it is ordered that this
cause be stricken from the
docket.

Joseph Moncure Hoyle

vs. Odellier

The Lash Overton Coastline

A.B.P. 294

End of this

Nov. 14th 1895

1 Joseph Moncure & wife Plffs
2 vs } Duchanery.
3 The Crab Orchard Coal and Iron Co, Dft

4 This cause came on this day
5 to be again heard upon the papers
6 formerly read in the cause, and the
7 report of R. H. Sewell, special com-
8 missioner filed therein on the
9 24th day of February 1894, and
10 to said report there are no
11 exceptions, and was ordered
12 by counsel. On consideration
13 whereof said report, of R. H. Sewell
14 special commissioner, be and the
15 same is hereby confirmed.

16 And it appearing to the court
17 from said report that the debt
18 in this cause and costs ^{of suit} and
19 commissions of sale have
20 been fully paid, and that
21 the purchasers are entitled to
22 a deed for said land purchased
23 by them, it is further adjudged
24 ordered and decreed that R. H.
25 Sewell be and he is hereby
26 appointed a special commis-
27 sioner for the purpose, and will
28 execute a deed with covenants
29 of special warranty to said
30 purchasers, W. M. James, W. A. Spenger,
31 M. M. Butler, R. L. Duncanson, J. B.
32 Anderson, Charles J. James, and

1 B. J. James. Carrying the sands in
2 the bill and proceedings mentioned, file
3 the same for delivery in the papers
4 of this cause, and the cause is
5 continued.

Joseph Moreau wife.

vs. ~~James~~
James

The Prob. Order on Coal & Iron.

Antony Chy. Ord. Book 4 P. 28

Enter this.

June 13th 1894.

W. J. H.

1 Joseph Morcum & wife Plffs,
2 vs

3 The Crab Orchard Coal and Iron Co. Dft. } Luchawany

4 This cause came on again this
5 day to be again heard upon the papers
6 formerly read in the cause, and the
7 report of B. H. Sewell, special Com-
8 missioner, filed in the cause, on the
9 20th day of October 1893, and was
10 argued by counsel,

11 And it appearing to the Court, that
12 said report of said Commissioner,
13 B. H. Sewell, has been filed more
14 than ten days before the first day
15 of this Court, and that no exceptions
16 have been filed thereto, it is ordered
17 that the ~~said~~ report be and the
18 same is hereby confirmed.

19 And it further appearing to the Court
20 from said Commissioner's report,
21 that the purchasers at said sale
22 have wholly failed to comply ~~with~~
23 with the terms of sale, as required
24 by a former decree of this court,
25 and that a re-sale of the lands
26 in the bill and proceedings mention-
27 ed will be necessary, It is therefore,
28 adjudged ordered and decreed that
29 said Commissioner B. H. Sewell pro-
30 ceed to advertise and re-sell said
31 lands, pursuant to the terms of
32 the decree for sale heretofore entered

1 by this Court, in said cause.
2 Said Commissioner will report
3 his actions to the next term of
4 this Court, and this cause is
5 continued.

Joseph Worcester wife

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Received
for Per-sale
The Gravel or Chalk Coal Estate.

Entered this
H. S. 10th
November 16th 1893.

1 Joseph Marcum & wife
2 against

3 The Crab Orchard Coal & Iron Company

} In Chancery

4 This Cause came on this day to be heard
5 upon the bill of the plaintiffs and
6 exhibits filed therewith, and was argued
7 by counsel. And it appearing to the
8 Court that process has been executed
9 on said Defendant Company ten
10 days before the return day thereof,
11 and more than fifteen days having
12 elapsed before the first day of this
13 Court, and said Company failing
14 to appear and demur, plead or
15 answer, said bill is taken for con-
16 fessed against said defendant Compa-
17 ny. On consideration whereof, it-
18 is adjudged ordered and decreed
19 that the plaintiffs recover of the
20 said defendant Company, the sum
21 of \$212 $\frac{50}{100}$ with six per cent interest
22 thereon from the 9th day of April
23 1890 till paid, subject to a credit
24 of \$40⁰⁰ paid September 19th 1892, and a cred-
25 it of \$30⁰⁰ paid October 19th 1892, and
26 also legal interest on \$187 $\frac{50}{100}$ from
27 the 9th day of April 1890 till November
28 the 6th 1890, and the costs of this
29 suit. And unless the said Company
30 or some one for it- pays the same
31 within thirty days from the rising of
32 this Court, then B. H. Sewell who is

1 hereby appointed a special Commis
2 sioner for the purpose will proceed
3 and sell the land in the bill
4 and proceedings mentioned, or so
5 much thereof as may be necessary
6 to pay said ~~debt~~; interest, and
7 the interest on said sum of \$187⁵⁰/₁₀₀
8 as aforesaid, and the costs of this
9 suit. He will make sale by pub
10 lic out-cry to the highest bidder,
11 on some Court day, at the front door
12 of the Court-house of Lee County
13 Virginia, on a credit of six months
14 except so much as may be necessary
15 ^{to pay} the costs of this suit, and Commissions
16 of sale, which he will require paid
17 in hand, and for the residue take
18 bonds payable to himself as Commis
19 sioner, bearing interest from the day
20 of sale, with approved personal
21 security. But before proceeding
22 to execute this decree said Commis
23 sioner will execute bond before
24 the Clerk of ~~the Court~~ of this
25 Court, in a penalty of \$300⁰⁰ with
26 approved security, conditioned to duly
27 perform his duties hereunder.
28 He will then advertise the time,
29 terms and place of sale, for at
30 least thirty days prior thereto,
31 by posting written notices of the
32 same, one of which on the front

1 door of the Court-house of said
2 County, and at two or more
3 public places in said County,
4 one of which shall be in the
5 neighborhood where the lands
6 lies, He will report his actions
7 to the next term of this Court,
8 and the Cause is Continued.

Joseph Morcucco

vs Decree for sale
No 1.

The Crab Orchard Coal & Coke Co.

Entered on OVB

Page 490

June 9, 1893

J. A. G. Hyatt &

Enter this

H. S. Wm

June 8th 1893.

1 To the Honorable A. S. H. Morrison Judge of the
2 Circuit-Court for Lee County Virginia;

3 By virtue of a decree of said Court
4 rendered on the 8th day of June 1893, in
5 the Chancery cause of Joseph Morcum
6 & wife against The Crab Orchard Coal and
7 Iron Company, the undersigned was
8 appointed a special commissioner
9 for the purpose of selling the lands
10 ^{in the bill and proceedings mentioned,} or so much thereof as was necessary
11 to pay the debt, interests and costs of
12 said suit. Respectfully reports that
13 pursuant to the terms of said decree
14 your commissioner, after duly
15 advertising the time, terms, and
16 place of sale for at least thirty
17 days prior thereto, by posting written
18 notices of the same at two or more
19 public places in said County, one of which
20 was on the front door of the Court-
21 house of said County, and one in the
22 neighborhood where the land lies, on
23 the 21st day of August 1893, at the front
24 door of the Court house of said County, that
25 being Court day, proceeded to sell said
26 land at public outcry to the highest
27 bidder on a credit of six months, except
28 so much as was necessary to pay the
29 costs of suit and commissions of sale.
30 Your Commissioner at said sale, first
31 offered the land in portions, to ascertain
32 if a less quantity than the whole tract

1 would satisfy the terms of said decree,
2 but received no bids.

3 Your Commissioners then offered for sale
4 the whole tract of land mentioned in said bill,
5 and W. W. James, W. A. Sparger, M. M. Butler,
6 B. L. Delaney, J. S. Audenon, Chas. L. James,
7 and B. J. James, became the purchasers
8 at the price of \$194 ⁵⁹/₁₀₀, being the highest
9 and best bid, and in full of the debt,
10 interests, costs, and commissions of sale, for
11 which said tract of land was sold. And
12 said land was bid off by Henry J. Mor-
13 gan, as agent for said purchasers.

14 Your Commissioners further reports that
15 by the terms of said decree the costs
16 and commissions of sale, were required
17 to be paid in hand, and bond taken
18 for the residue, with good personal security
19 bearing interest from day of sale, and
20 payable in six months from day of sale.

21 Your Commissioners further reports,
22 that said Morgan duly notified
23 said purchasers of said terms of sale,
24 and of his purchase for them. but
25 they failed to comply with the
26 same, and a resale of said
27 land will be necessary.

28 Respectfully submitted, this the
29 20th day of October 1893.

30 B. H. Sewell,
31 Special Commissioner.
32

Joseph Morcunwiffe

vs { Commissioner Report
of Sale.

The Crab Orchard Coal & Coke Co.

Filed Octo. 20th 1893

A B Munsey &

1 To the Honorable H. S. H. Morrison Judge
2 of the Circuit Court for Lee County
3 Virginia:

4 By virtue of the decrees of said
5 Court rendered on the 8th day of June
6 1893, and on the 15th day of November
7 1893, in the Chancery cause of Joseph
8 Morcuso & wife against the Crab Orchard
9 Coal & Iron Company, the undersigned
10 was appointed a special Commissioner
11 for the purpose of selling the land or
12 so much thereof in the bill and proceedings
13 mentioned as was necessary to pay the
14 debt, interests, and costs of this suit.
15 Respectfully reports that pursuant
16 to the terms of said decrees, your
17 Commissioner, after duly advertising
18 the time, terms, and place of sale for
19 at least thirty days prior thereto, by
20 posting written notices of the same at
21 two or more public places in said
22 County, one of which was on the
23 front door of the Courthouse of said
24 County, and one in the neighborhood
25 where the land lies, on the 19th day
26 of February 1894, at the front door of
27 the Courthouse of said County, that being
28 Court day, proceeded to re-sell said
29 land at public out-cry to the highest
30 bidder on a credit of six months
31 except so much as was necessary to
32 pay the costs of suit and commissions of

1 sale. Your commissioner at said sale,
2 first offered the land for sale in por-
3 tions, to ascertain if a less quantity than
4 the whole tract would satisfy the terms
5 of said decree, but received no bids.
6 Your commissioner then offered for sale
7 the whole tract of land mentioned in said
8 bill and proceedings, and W. W. James
9 W. A. Spenger, M. M. Butler, B. L. Delaney,
10 J. B. Anderson, Charles J. James, and
11 B. J. James by H. J. Morgan their agent
12 became the purchasers at the price of
13 $\$199\frac{04}{100}$ being the highest and best bid, and
14 in full of the debt, interest, costs of suit
15 and commissions of sale, for which said
16 land was sold. Of said sum $\$27\frac{03}{100}$ was costs
17 of suit, which was paid in hand and declared
18 ed by your commissioner as follows: To John
19 A. S. Hyatt Clerk $\$7\frac{78}{100}$ including the writ tax
20 sheriffs costs, and his costs; to A. B. Mennery Clerk
21 $\$4\frac{25}{100}$, as his cost, for all of which receipts were
22 given to your commissioner. Another part
23 of said sum, is $\$9\frac{47}{100}$ commissions of sale, this
24 sum was also paid in hand, and it together
25 with $\$15\frac{00}{100}$ the taxed attorneys fee was retained
26 by your commissioner.

27 Your commissioner further reports that by
28 the terms of said decree six months time
29 was given in which was to be paid the
30 residue of said sum, which is $\$162\frac{54}{100}$,
31 and for which a bond was required to be
32 given with good personal security, bearing

1 interest from day of sale. But this
2 sum \$162 $\frac{54}{100}$ was also paid in hands
3 to your Commissioner, and accepted
4 by the plaintiffs, and hence no bond
5 was necessary. This sum has been
6 paid to the plaintiffs and your com-
7 missioner has their receipt for the
8 same.

9 The said purchasers having fully
10 settled this debt, and otherwise complied
11 with the terms of said decrees are
12 entitled to a deed to said land.
13 All of which is respectfully
14 submitted. This the 24th day of February
15 1894.

16 B. H. Sewell,
17 Special Commissioner,
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Joseph Morcam & wife

& Commisaries

vs Report of

& New Sale.

The Crab Orchard Coal Works.

Filed Febry 1st the 24th 1894

A B Munsey
Clerk

Joseph Marcum wife
vs
The Crab O. C & D Co } In chg-

To the Hon. W. T. Miller, Judge of
the Circuit Court of Lee County,
Virginia.

Your undersigned Coun-
sel respectfully report, That
pursuant to a decree entered
herein on the 13th day of June 1894
he has made, executed & filed
herewith a deed conveying the
land in the Bill mentioned
together with ~~Covenants~~ of Special
Warranty to the purchasers thereof.
W. M. Jeffers, W. A. Spenger, M. M. Butler, J. S. Anderson, Chas. L. James
for which he charges 5⁰⁰ &
asked to be decreed that same
to be paid by said purchasers.

Respt. Sub.

D. T. Sewell
Spe. Coun.

Joseph Marcum wife

253 Report of
DEED-

The Croft & Co

Filed Nov 13th 1890

A. B. Munsey CLK

This deed made this the Fifth day of November in the year of our Lord one thousand eight hundred and ninety Between Joseph Marcum of Lee County State of Virginia and Margaret his wife of the first part and The Crab Orchard Coal and Iron Company a Corporation formed and existing under and by virtue of the Laws of the Commonwealth of Virginia of the second part. Witnesseth that the parties of the first part for and in consideration of the sum of six hundred and thirty-seven Dollars and fifty cents lawful money of the United States of America to them paid and to be paid by The Crab Orchard Coal and Iron Company as follows namely: The sum of Two hundred and twelve Dollars and fifty cents at the sealing and delivery hereof the receipt whereof is hereby acknowledged and the remaining sum or balance of Four

Hundred and twenty-five Dollars with interest there on secured to be paid by the following promissory notes of The Crab Orchard Coal and Iron Company bearing even date here with namely:

One note payable 9th April 1891 for the sum of Two hundred and twelve Dollars and fifty cents and

One note payable 9th April 1892 for the sum of Two hundred and twelve Dollars and fifty cents and for which deferred instalments of purchase money and interest a vendors lien is hereby retained on the land hereby conveyed until the same are fully paid do and each of them doth hereby grant and convey to The Crab Orchard Coal and Iron Company its successors and assigns all that certain tract or parcel of land situated in the County of Lee and State of Virginia on

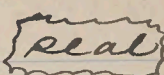
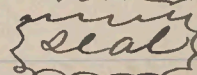
the waters of Jones Creek in
the Crab Orchard and bound-
ed and described according
to a recent survey thereof
made by L. M. Carnical
Surveyor for the said County,
as follows namely:— Begin-
ning at a rock in the middle
of Jones Creek about 400 yds be-
low a large rock with a
beech and a large Spruce pine
marked as pointers near a
sugar tree stump on the bank
of said Creek which is said
to be Parkers corner: Thence
with a marked line N. 25° W. 36
poles to a maple on the top of a
ridge a corner to N. C. Heru-
doin's line and with top of
said ridge and said Herudoin's
line N. 88° W. 32 poles to a stake
and Black Pine on the top of
said ridge thence N. 56° W. 28
poles to a chestnut and small
black gum N. 24½° W. 17½ poles
to a chestnut oak thence 85'
N. 32½ poles to two chestnut oaks
on the top of a point thence
leaving Herudoin's line and

with James H. Penleys line and
the top of a ridge: S $7\frac{1}{2}$ E $17\frac{3}{4}$ poles
to a stake and the top of a ridge;
thence S $3\frac{1}{2}$ E. $19\frac{3}{4}$ poles to a stake
and the top of a ridge: thence
S $9\frac{1}{2}$ E. 20 poles to a stake and the
top of a ridge: thence S 3° N. $9\frac{3}{4}$
poles to a chestnut and the top
of a ridge: thence S $11\frac{1}{4}$ N. 16 poles
to a stake thence S $48\frac{1}{2}$ N. 13 poles
to a black oak: thence S $17\frac{1}{4}$ N. $9\frac{1}{2}$
poles to a black oak: thence
S. 17 E $15\frac{1}{2}$ poles to a chestnut oak
on a spur: thence leaving Pen-
leys line and with J. D. Graham's
line and the top of a spur S $73\frac{1}{2}$
E $12\frac{1}{2}$ poles to a stake: thence
S $66\frac{1}{4}$ E 19 poles to a stake: thence
N. 86 E $10\frac{1}{2}$ poles to a stake: thence
N. 78 E $4\frac{1}{2}$ poles to a white oak
at the point of a spur: thence
with Wm C. Herndon's line
S. $25\frac{1}{2}$ E $40\frac{1}{2}$ poles to a black
walnut thence South $25\frac{1}{2}$ E $2\frac{1}{2}$
poles to a stake in Jones Creek
and with the same and said
Wm C. Herndon's line S. $81\frac{3}{4}$ E $14\frac{1}{4}$ poles
N. $50\frac{1}{2}$ E 12 poles N. $30\frac{1}{4}$ E $13\frac{3}{4}$ poles

30
N. 5' N. 6 $\frac{3}{4}$ poles N. 16 West 16 poles
N. 20 $\frac{1}{4}$ E 21 poles N. 23 E. 43 poles
and N. 30 E. 4 poles to the begin-
ning containing seventy-five
Acres. Being the same tract
or parcel of land which Har-
vey J. Parsons and Mary his
wife by Deed bearing date the
Thirtieth day of September A.
D. One thousand eight hun-
dred and eighty one and re-
corded in the office of the clerk
of the County Court of Lee County
aforesaid in Deed Book num-
ber 20 Page 51 &c granted and
conveyed unto the said Joseph
Marcum in fee. With the
rights and members and
appurtenances to the same
belonging or appertaining To
Have and To Hold the same
with the appurtenances unto
the Crab Orchard Coal and
Iron Company its successors
and assigns To the use of
The Crab Orchard Coal and
Iron Company its successors
and assigns forever. And
the parties of the first part

hereby covenant that they will
warrant generally the premises
hereby conveyed that they
have full power to convey
the same to The Crab Orchard
Coal and Iron Company;
The Crab Orchard Coal &
Iron Company, its success-
ors and assignees shall have
quiet possession of the same:
that they have done no act
to encumber the same: and
that they will execute such
further assurance of the same
as may be requisite.

Witness the following signa-
tures and seals.

Joseph Marcum 
Margaret Marcum 

State of Virginia, } To wit:
County of Lee }

I Francis
M. Parsons a Justice of the
Peace for the County afore-
said in the state of Virginia
do certify that Joseph Mar-
cum and Margaret his wife

whose names are signed to the foregoing deed bearing date on the Fifth day of November A.D. one thousand eight hundred and ninety have acknowledged the same before me in my county aforesaid. Given under my hand this 6th day of November one thousand eight hundred and ninety.

Francis M. Parsons
J.P.

State of Virginia }
County of Lee } To wit:

In the office of the clerk of the said County of Lee on the 18 day of Nov. 1890 this deed was presented and with the certificate there to annexed, admitted to record.

Teste: John R. Gibson,
clerk.

Attest of the Record

John R. Gibson Clerk

Joseph Marcum,
to
Crab Orchard
Coal & Iron
Company

"A"

\$272.54

City of Bristol, Va., Nov 6, 1890

Office of the Crab Orchard Coal and Iron Co.,

On 9th April 1892 ~~Months~~ after date the "Crab Orchard Coal and Iron Company," promise to pay

Joseph Marcuise & Wife

the sum of Two hundred & Twenty Dollars, from April 9th 1892 with six per cent interest after maturity, at the Company's Office in the city of Bristol, Virginia, it being the Last payment on land this day sold and conveyed to said Company, and for value received. In witness whereof the Crab Orchard Coal & Iron Company has caused these presents to be signed by W. W. James, the Secretary and General Manager of said Company, and the said W. W. James has hereunto set his hand and seal the day and year first above written.

The Crab Orchard Coal and Iron Company,

By W. W. James (SEAL.)

Secretary and General Manager.

Mr. B. H. Sewell you will please pay
N. S. Cox Eleven dollars & fifty cents
(\$11.50) To deduct the same from the
first money you collect on the claim
placed in your hands for collection which
was a note for purchase money on a
tract of land ^{lying in the Cheboree} sold by me to Cheboree
coal & iron Co, Yours &c
Joseph Mercuri

June 13. 1893.

Received of B. H. Sewell
twelve dollars in full of the
above order. This March 7th 1894
N. S. Cox

B. H. Sewell

Yours Order \$11.50

Joseph Hancock!

5615
5615
90911

21.59
2511

~~Mr B~~ ~~Banyan~~

Mr B to serve you will
please pay Rial Lawson six
Dollars + this shall be
your receipt for the same

this 6 18 94

Joseph H. Marcum

for value received I
assign the above order
over to J. Q. Seaverns & Co
Rial Lawson

Feb 6 '94

1 gal coal oil		25
cr y cash	\$1.30	\$1.40

July 22nd 1891

2 small Bits	8	16
4 lbs Sugar	7 3/4	31
4 " Copper	23 1/2	94
cr y 8 doz Eggs	\$1.00	141

July 23rd 1891

cr y cash	50.4
-----------	------

July 24th 1891

2 galb Coal oil	25	50
1 Box Hornet Menches		21
2 1/3 doz Brass Rivets	8	06
4 lbs Coal	7.50	06

This Deed, made this 13th day of November 1895, between
D. C. Sewell

Special Commissioner, as hereinafter set forth, party of the first part, and W. W. James
W. A. Sparger, M. M. Butler, B. L. Dulany, I. S.
Anderson, Chas. James and B. J. James, parties
State of Virginia, part of the second part.
of the second part.

WHEREAS, by a decree of the Circuit Court of the County of Lee
entered on the 15th day of November 1893, in the chancery cause entitled

Joseph Marcum & wife against
The Crab Orchard Coal & Iron Company therein depending,
it was, among other things, adjudged, ordered and decreed that B. H. Sewell

who was thereby appointed Special Com-
missioner for the purpose, should sell by public auction, after certain advertisement, and upon certain
terms in the said decree fully set forth, certain Real estate therein described; and

WHEREAS, the said B. H. Sewell consent as
affirmed

pursuant to the said decree, did, on the 19th day of February 1894, after having
duly advertised the same in accordance with the terms of the said decree, offer for sale, by public auction,

the following described real estate, to-wit: a certain tract or parcel
of land situated in the County of Lee State of
Virginia on the waters of Jones' Creek in
the Crab Orchard, being the same land
which was conveyed the said Crab Orchard
Coal & Iron Company by Joseph Marcum
& Marguerite Marcum his wife by deed
bearing date on the 5th day of November
1890 & of record in the Lee County Court
Clerks Office to which reference is here
made for a more particular description
of the land herein conveyed to said tract
contains about 75 acres more or less.

X M. M. Butler, B. L. Dulany, I. S. Anderson, Chas. James & B. J. James
At which sale the said W. W. James, W. A. Sparger, X made the last and
joint
highest bid therefor, and became the purchasers thereof at the price of One Hundred
and Ninty Nine & $\frac{04}{100}$ dollars; and

WHEREAS, the said sale was duly reported to the Court by the said Special Commissioner, and was by

another decree, entered in the said cause on the 13th day of June 1894, by the said Court, approved and confirmed; and




WHEREAS, the said purchaser hath paid the whole of the said purchase money, which payment was duly reported to the said Court, and whereupon, by another decree, entered by the said Court in the said cause on the 13^d day of June 1894 the said D. P. Sewell was

appointed Special Commissioner to execute and deliver to the said W. W. James W. A. Sparger, M. M. Butler, B. L. Dulaney, L. S. Anderson, Charles D. James & B. J. James a good and sufficient deed, with special warranty, conveying the said Real estate to them, the said purchaser in fee simple:

NOW, THEREFORE, THIS DEED WITNESSETH, That for and in consideration of the premises, and in obedience to the said last-mentioned decree, the said D. P. Sewell

M. M. Butler, B. L. Dulaney, L. S. Anderson, Charles D. James & B. J. James Special Commissioner as aforesaid, do it grant unto the said W. W. James, W. A. Sparger with special warranty, the real estate hereinbefore fully described.

Witness the following signature and seal :

D. P. Sewell Comm




State of Virginia, County of Lee, to-wit:

I S. V. F. Richmond, Clerk of the County Court for the County aforesaid, in the State of Virginia, do certify that D. P. Sewell whose name is signed to the writing hereto annexed,

bearing date on the 13th day of November, 1895, has acknowledged the same before me in my County aforesaid. Given under my hand, this 14th day of November 1895
S. V. F. Richmond Clerk

In the _____ Court Clerk's Office of the _____ of _____ the _____ day of _____ 1895 :

This Deed was this day presented to me in my said office, and, with the certificate annexed, admitted to record at _____ o'clock _____ M.

Teste:

Clerk.

D.C. Swell

Special Commissioner

to

DEED OF
BARGAIN AND SALE.

M. H. James

189.....

Presented in office and, with
certificate, admitted to record at.....
o'clock.....M.

Clerk.

Recorded—Deed Book.....

Page.....

Clerk's Fee, - - - - \$.....

Tax, - - - - -

Fee 5⁰⁰

KNOW ALL MEN BY THESE PRESENTS, That we *B. H. Sewell and*

C. E. Flanary
are held and firmly bound unto the Commonwealth of Virginia, in the sum of

Three hundred dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of United States. Sealed with our seals, and dated *14th* day of *July*, one thousand eight hundred and *ninety three*

The Condition of The Above Obligation is Such, That if the above bound *B. H. Sewell* shall faithfully perform the duties of *his* office or trust, as *Commissioner*

under a decree of the Circuit Court of the County of Lee, pronounced on the *8th* day of *June*, 1893, in the suit therein depending under the name and style of *Joseph Marcum + wife* Plaintiff
vs. *The Crab Orchard Coal + Iron Co* Defendants

and properly account for all sums of money *he* may receive as such *Commissioner*

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

B. H. Sewell (SEAL.)

C. E. Flanary (SEAL.)

(SEAL.)

In the Clerk's Office of the Circuit Court of the County of Lee

This day *C. E. Flanary* *A. B. Munsey*
surety on the above bond, made oath before me ~~F. A. G. Hyatt~~, Clerk of the Circuit Court of the County of Lee, that *his*
estate after the payment of all *his* just debts, and those for which *he* bound as security for others, and expect to have to pay *is* worth the sum of *four hundred dollars*
dollars.

Given under my hand this *14th* day of *July* 1893.

Teste:

A. B. Munsey Clerk.

Joseph Marcum & wife

vs } Bonds

Crab Orchard Coal & Iron Co

Filed July 14th 1893

A B Munsey, Clk

The purchase money, to secure the payment
of which, the vendors lien was retained in this
deed, has been fully paid, said lien is
therefore discharged & we authorize the County
Court Clerk to enter this release all the
margin of the Deed Book opposite the record
of ~~our~~ Deed to the Rob Orchard Coal &
Grove Company,

Given under our hands this Mch. 9. 1894.

Joseph Marcum
Margaret Marcum

Witness

B. H. Scumely.

1 Received of B. H. Sewell the sum
2 of one hundred and sixty two dollars
3 and fifty four cents in full of
4 the principal and interest to date
5 of the note which we placed in the
6 hands of said Sewell for collection,
7 which said note was executed to
8 me and wife by the Crank Orchard
9 Coal and Iron Company, and
10 also in full of the interest due on the
11 first payment for land from said
12 Company. This March 8th 1894,

13 Joseph Marcum
14 Margaret Marcum
15

Statement of Note of
 Oak Orchard Coal & Iron Co.
 To
 Joseph Morcume & wife

1	Amount of note principal	\$ 212.50
2	Interest on same from the 9 th day of Sept ^r	
3	1890 to the 19 th day of September 1892	31.16
4	Sept, 19 th 1892 by	\$ 243.66
		70.00
		\$ 273.66
5	Interest on this balance from the	
6	19 th of Sept, 1892 to Oct, 19 th 1892	86
7	Oct, 19 th 1892 by	\$ 174.52
		30.00
		\$ 144.52
8	Interest on same from Oct, 19 th 1892	
9	to February 19 th 1894.	11.56
10	Interest on \$187.50 from April 9 th 1890	\$ 156.08
11	To November 6 th 1890	6.46
12		\$ 162.54
13	Cost,	27.03
14	5 per cent commissions	\$ 189.57
		9.47
15		\$ 199.04
16	To tal amt, land must bring.	
17		
18		
19		
20		
21		
22		

Sold to H. J. Morgan
agent for
for Butler, James
and the other parties
who buying this land
in at the price
of \$199.04
100

212.50

- 14 ²/₃

850.00

2125.00

144.66

31.1666

212.50

3/425.00

141.66

248.66

70.00

173.66

¹/₂

86.86

27.03

9.76

367.9

194.59

144.52

151.74

6.56

\$158.30

27.03

185.33

10.5

9.2665

185.33

95.57 Prop ty must bring

~~1890 1/1~~

1892-9-19

1890-4-9

25-10

29 ¹/₃

$\frac{88}{3} \text{ of } \frac{1}{2} = \frac{88}{6}$

6/88

1893-8-21

1892-18-19

10-2

173.66

5.86

174.52

30.00

144.52

10.5

7.2260

187.50

103 ¹/₂

562.50

93.75

6,562.5

Debt Am + Int, 6.56

Cost

Debt + Cost

Conc

Sold to
Mr. M. James
by H. J. Morgan app.
whole tract.
\$194.59

The Commonwealth of Virginia.

Serjt of the City of Bristol
To The Sheriff of Lee County Greeting:

WE COMMAND YOU TO SUMMON

*The Crab Orchard Coal
and Iron Company a corporation
formed and existing under and by
virtue of the laws of the State of Virginia*

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the ~~first~~ *third* Monday in

Maynext, being rule day to answer a bill in Chancery exhibited in our said Court against

..... *it* by *Joseph Maroun*

and Margaret Maroun his wife

And have then and there this writ.

Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *29th* day of *April* 18 *93* in the 11 *7* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste.....Clerk.

Executed this the 4th day of May 1893, on the
Crab Orchard Coal and Iron Company, a corpora-
tion formed and existing under and by virtue
of the laws of the state of Virginia,
by delivering an office copy of the within
Summons to W. W. James Secretary and General
Manager of said Company, in the Corporation of
the City of Bristol Virginia, the said W. W.
James residing therein. *Justin Wiley*

Sergeant of the Corporation of
the City of Bristol Virginia

Joseph Morrison

no other use
Chancery

Crab Orchard Co. Va.

Do 21 May October 1893

~~Received this 4th day of May 1893 by delivering an office copy of the within summons to W. W. James in the Corporation of the City of Bristol Virginia~~
~~Justin Wiley~~
~~Sergeant of the Corporation of the City of Bristol Virginia~~